

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

THOMAS V. MILLER d/b/a
MILLER HOUSE MOVERS

§

§

CIVIL ACTION NO. 6:10CV62

v.

§

TEXAS STATE BANK, ET AL.

§

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed because it was improvidently filed due to the Order enjoining Miller from filing another lawsuit with these claims. Plaintiff filed written objections to the Report and Recommendation on March 17, 2010.

Having made a *de novo* review of the written objections filed by Plaintiff, the Court finds that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. The Court, therefore, adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is **DISMISSED** as improvidently filed. An Order was previously entered by Judge Brown on March 25, 2003 enjoining Thomas Miller from filing another lawsuit with these claims.

So ORDERED and SIGNED this 22nd day of March, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE